

REMARKS

Claims 1-21 were pending in this application prior to this amendment and are still pending. Claims 1 and 18 are amended herein. Claims 6, 7, 11-13, 19 and 21 were previously withdrawn. This response is being filed within two months of the electronic transmission date of the October 28, 2009 final Office Action.

The Examiner rejected claims 1-5, 15, and 18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 4,548,373 to Komura in view of U.S. Pat. No. 7,128,300 to Frick and in view of U.S. Pat. No. 6,471,165 to Twisselmann. Independent claims 1 and 18, as amended herein recite a combination of elements and limitations including, among other things, “a support structure extending between a floor and a ceiling of a hospital room, the support structure has a service outlet for delivery of a medical gas” and “an arm coupled to the support structure and supported in the hospital room for pivoting movement about a generally vertical axis.” None of Komura, Frick and Twisselmann have a support structure extending between a floor and a ceiling of a hospital room, let alone having an arm coupled to such a support structure. None of Komura, Frick and Twisselmann disclose or suggest any service outlet for delivery of a medical gas anywhere on their respective devices. There is no reason to add a medical gas outlet to any of these prior art devices. Accordingly, independent claims 1 and 18, along with claims 2-17 which depend either directly or indirectly from claim 1 and claims 19-21 which depend from claim 18, are in condition for allowance and such action is respectfully requested.

The Examiner rejected claims 8-10 and 20 under 35 U.S.C. §103(a) as obvious over Komura in view of Frick and in view of Twisselmann and further in view of U.S. Pat. No. 5,265,701 to Ogasawara et al.; the Examiner rejected claim 14 under 35 U.S.C. §103(a) as obvious over Komura in view of Frick and in view of Twisselmann and further in view of U.S. Pat. No. 7,197,109 to Rotondo et al.; and the Examiner rejected claims 16 and 17 under 35 U.S.C. §103(a) as obvious over Komura in view of Frick and in view of Twisselmann and further in view of U.S. Pat. No. 6,213,481 to Marchese et al. Claims 8-10, 14, 16 and 17 each depend directly or indirectly from claim 1 and claim 20 depends from claim 18. Accordingly,

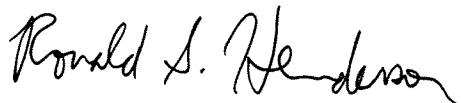
each of the examiner's obviousness rejections is rendered moot because independent claims 1 and 18 are in condition for allowance as noted above.

It is believed that the application is in condition for allowance and such action is respectfully requested. If there are any questions or comments that would speed prosecution of this patent application, the Examiner is invited to call the undersigned at (317) 231-7341.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and that shortages in fees, if any, be charged, or any overpayment in fees credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 with reference to attorney docket no. 7175-74602.

Respectfully submitted,

BARNES & THORNBURG LLP

A handwritten signature in black ink, reading "Ronald S. Henderson". The signature is written in a cursive, flowing style.

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